

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION**

THOMAS L. HOPE, #114320

PLAINTIFF

VS.

CIVIL ACTION NO. 2:09cv207-KS-MTP

DR. RON WOODALL, ET AL.

DEFENDANTS

**ORDER ACCEPTING MAGISTRATE JUDGE'S RECOMMENDATION
DENYING PETITIONER'S REQUEST FOR RELIEF
PURSUANT TO 42 U.S.C. § 1983 AND DISMISSING WITH PREJUDICE**

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge entered herein on March 3, 2010, after referral of hearing by this Court, no objections having been filed as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS THEREFORE, ORDERED that the Report and Recommendation be, and the same is, hereby adopted as the finding of this Court, and the Complaint is hereby dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

IT IS FURTHER ORDERED that all pending motions, including Defendant's Motion to Dismiss for Failure to Exhaust [22] are denied as moot. A separate judgment will be entered herein in accordance with this Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 20th day of July, 2010.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE